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BY ECF

The Honorable Brian M. Cogan
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Force, et al. v. Qatar Charity, et al.*, No. 20-cv-2578 (BMC), Request for Clarification
Regarding Discovery

Dear Judge Cogan:

We are counsel to Qatar National Bank Q.P.S.C., and we write on behalf of all Defendants to request clarification of the Court's February 28, 2022 order (the "Feb. 28 Order"), "granting in part" Plaintiffs' February 17, 2022 letter motion for (i) permission to conduct "limited jurisdictional discovery"; (ii) an open-ended extension of time to respond to Defendants' motions to dismiss; and (iii) an order authorizing alternative service of process. The Feb. 28 Order states: "Plaintiff's time to respond to defendant's motion to dismiss is extended until 3/11/2022; defendants' reply is extended until 3/18/2022. Discovery *was not stayed* in this case pending defendant's motion to dismiss." (Emphasis added).

Based on the Court's statements at the January 28, 2022 pre-motion conference, however, it was Defendants' understanding that the Court had stayed discovery. Jan. 28, 2022 Tr. at 33:16 – 34:1 ("I'm going to defer ruling on what kind of discovery we have. I'm going to stay it for now. I want to look at the defendants' motions. And then I want Mr. Rocco to have a chance to opine on what he needs now and why he needs it. And also, frankly, when I've read in detail the defendant motions, I may be able to form a view as to how likely it is that the case might go completely away so that we don't need discovery. So I'm not going to make any determinations until I've seen the motions."). Accordingly, when Plaintiffs – apparently likewise perceiving such a stay to be in place – sought leave of Court to take "limited jurisdictional discovery," Defendants opposed their motion, advancing numerous arguments as to why such discovery would be improper prior to the Court ruling on Defendants' motions to dismiss.

Given the wording of the Court's Feb. 28 Order, we respectfully request clarification whether discovery is currently stayed. If it is not, Defendants will renew their opposition and objections to any such discovery at the appropriate time.

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Respectfully submitted,

/s/ Michael G. McGovern

Michael G. McGovern

cc: All parties of record (by ECF)